

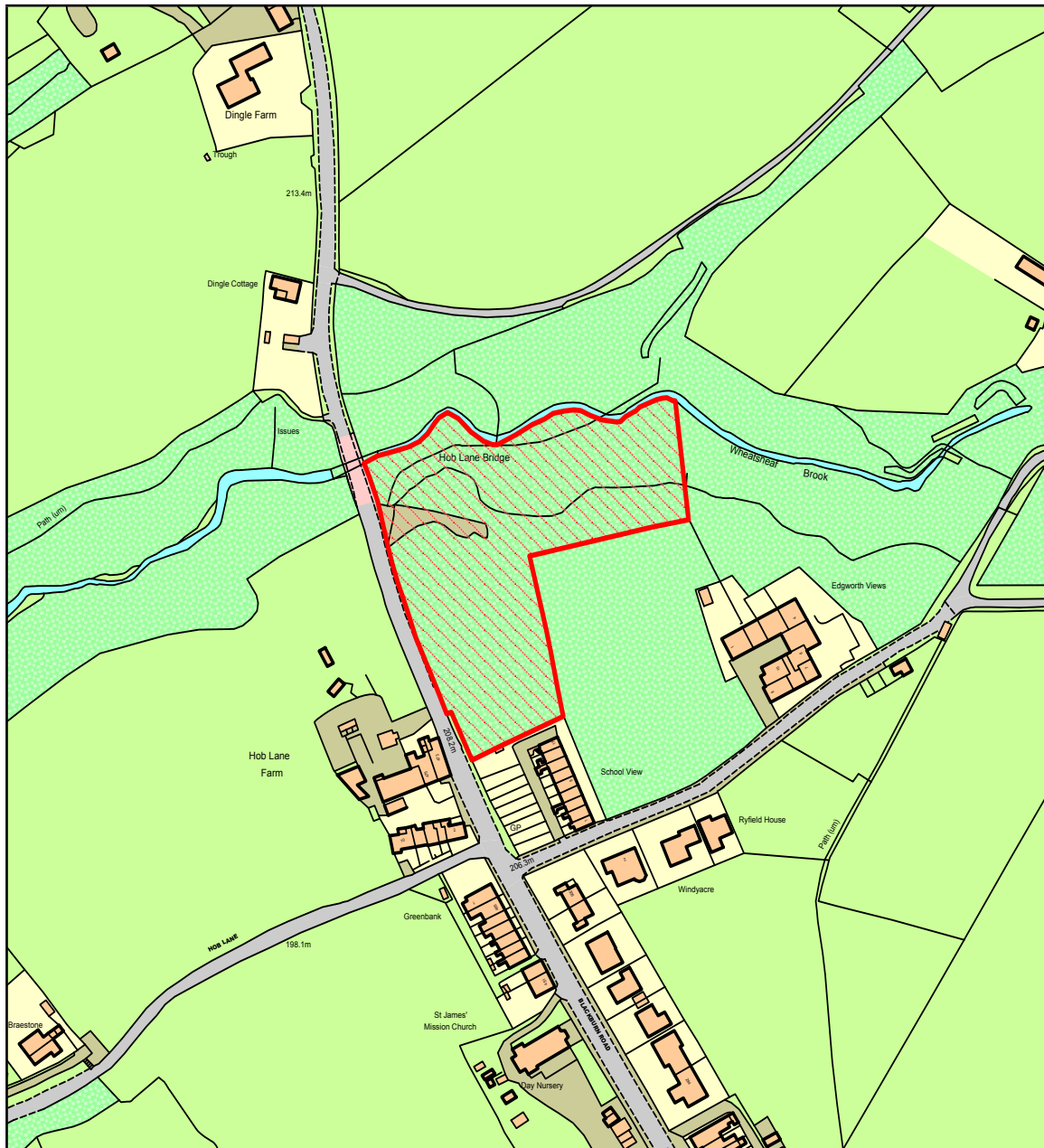
Proposed development: Full Planning Application for Erection of a single dwellinghouse (C3 Use Class) with associated access, parking and landscaping (resubmission of 10/17/0278)

**Site address:
Old School Grounds
Edgworth
BL7 0PU**

Applicant: Mr Shaun Readey

Ward: West Pennine

**Councillor Colin Rigby
Councillor Jean Rigby
Councillor Julie Slater**



Details of application

1.1 Members will recall approving the resolution to support the application at the September 2018 meeting of the Planning and Highways Committee, after voting to overturn the Officer's recommendation to refuse the proposal. Members considered that the proposed dwelling in the Green Belt was of exceptional design quality, with the proposed construction methods and design being innovative, and the dwelling would have no significant impact on the openness of the Green Belt and the immediate setting. As such, the proposal was considered to meet both national and local planning policy. The application was deferred to enable the drafting of conditions as per paragraph 2.0 below.

2.0 Recommendation

2.1 If members of the Committee are minded to approve this application, approval should be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this planning permission.
REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004
2. Prior to the commencement of development hereby approved, samples of all external walling, roofing materials, and their colour to be used in the construction of the building work shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
REASON: To ensure that the external appearance of the development is satisfactory in accordance with Policy 11 of the Blackburn with Darwen Borough Local Plan Part 2 and the adopted Blackburn with Darwen Design Guide Supplementary Planning Document
3. Prior to commencement of the development hereby approved, a Construction Method Statement shall be submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - I) the parking of vehicles of site operatives and visitors
 - II) loading and unloading of plant and materials
 - III) storage of plant and materials used in constructing the development
 - IV) the erection and maintenance of security hoarding along the boundary with the Biological Heritage Site
 - V) wheel washing facilities
 - VI) measures to control the emission of dust and dirt during construction
 - VII) a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: In order to avoid the possibility of the public highway being affected by the deposit of mud/or loose materials which could create a potential hazard to road users, in order to protect the amenity of the occupiers of the neighbouring properties, in order to protect the visual amenities of the locality, in order to protect the Biological Heritage Site, and to comply with Policies 9, 10, 11 and 40 of the Blackburn with Darwen Borough Local Plan Part 2.

4. Prior to the commencement of development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Trees and shrubs shall be planted on the site in accordance with the landscaping scheme during the first available planting season. The scheme shall include details of materials to be used for hard surfaces, and details of species to be planted, with their siting and planting distances, and shall be implemented during the first available planting season after the commencement of development. Trees and shrubs dying or becoming diseased, removed or being seriously damaged within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted during the first available planting season after the loss of the trees and/or shrubs.
REASON: To ensure that there is a well laid scheme in the interests of amenity in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2
5. Prior to the commencement of development, a detailed method statement for the removal or long-term management/eradication of Japanese knotweed on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/root/stem of any invasive plant covered under the Wildlife and Countryside Act 1981. It shall finally demonstrate how the methods adopted will not have a harmful impact on the Biological Heritage Site. Development shall proceed in accordance with the approved method statement.
REASON To ensure that the invasive weed species Japanese knotweed present on site is prevented from spreading and/or eradicated, thereby enhancing the amenity of the Biological Heritage Site and its immediate environs, in accordance with Policy 11 of the Blackburn with Darwen Borough Local Plan Part 2.
6. Prior to the commencement of development details of how the recommendations set out in Paragraphs 3.41 to 3.96 inclusive of the Preliminary Ecological Appraisal (revised 21st February 2018, reference 260417 v. 2 Final) are to be carried out are to be submitted to and approved in writing by the Local Planning Authority (LPA). The approved details are to be implemented in full.

Reason: To ensure an appropriate mitigation strategy secures the amenity of the Biological Heritage Site and Green Belt, in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

7. The recommendations in Sections 3, 4, and 5 and Appendix 3 and 4 of the Ecological Management Plan dated February 2018 and referenced 2210218 Draft are to be implemented in throughout the construction phase and the lifetime of the development hereby approved. Details of the lighting scheme recommended at 3.5 are to be submitted to and approved in writing by the LPA prior to the commencement of development.

Reason: To ensure an appropriate mitigation strategy secures the retention of the habitats and their species of the Biological Heritage Site and Green Belt, in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

8. Prior to commencement of the development hereby approved, a drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail measures for attenuation, the disposal of foul and surface waters, and whether this is to be achieved by septic tank or link to the village drainage network. The development shall be implemented in accordance with the approved details, prior to the occupation of the approved development.

REASON: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources, human health or ecological habitats in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

9. Notwithstanding the submitted details, a scheme detailing the storage of bins within a covered area on site are to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme is to be implemented prior to the occupation of the development and thereafter retained.

REASON: To ensure the implementation of a responsible waste storage and management scheme and to ensure there is no unacceptable impact on the environmental amenity of the Green Belt and the water course, in accordance with Policies 9 and 11 of the Blackburn with Darwen Borough Local Plan Part 2.

10. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment No.2) (England) Order 2015 as amended, no development of the type specified in Classes A, B, C, D, E, F of Part 1 and in Classes A and B of Part 2 of that Schedule shall be carried out unless planning permission has been granted first.

REASON: Due to the restricted nature of the site, whilst the dwelling as approved is acceptable, any further extensions or alterations normally permitted under the above provisions may in this case conflict with the interests of adjacent properties or the amenity of the area generally in

accordance with Policies 3, 8 and 9 of the Blackburn with Darwen Borough Local Plan Part 2.

11. The integral garages hereby approved shall be retained as ancillary garages and not be converted into habitable rooms.
REASON: To ensure the availability of off-street car parking in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2.
12. The annex shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling hereby approved.
REASON: Due to the restricted nature of the site, whilst the ancillary accommodation as approved is acceptable, a separate dwelling may in this case conflict with the interests of adjacent properties or the amenity of the Green Belt and the Biological heritage Site, in accordance with Policies 8, 9 and 3 of the Blackburn with Darwen Borough Local Plan Part 2.
13. The construction of the development hereby permitted shall take place only between the hours of 08:00 and 18:00 Monday to Friday, 09:00 and 13:00 on Saturdays and not at all on Sundays or Bank Holidays.
REASON: To safeguard the amenities of the nearby dwellings and the area generally in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.
14. Visibility splays shall not at any time be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway. The removal of trees and shrubs within the Biological Heritage Site adjacent to Wheatsheaf Brook should not be undertaken except under supervision of a qualified ecologist.
REASON: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, and to safeguard the ecological habitat along Wheatsheaf Brook, in accordance with Policies 10 and 9 of the Blackburn with Darwen Borough Local Plan Part 2.
15. This consent relates to the submitted details marked received on 8th March 2018 and numbered Project 334 drawings 200 rev E, 102, 103, 201, 203, 204, 205, 206, 207, 208, 209, 210, 211, 219 rev E, 220, 221, 222, 223, and 225 , as amended by plans received on 2nd August and numbered 201 rev E, 202 rev E, 203 rev E, 204 rev E, 205 rev E, 206 rev E, 207 rev E, 208 rev E, 209 rev E, 210 rev E, 211 rev E, 219 rev E, 220 rev E, 222 rev E, 224 rev E, 225 rev E, 226 rev E, 227 rev E, as further amended by plans received on 5th September 2018 and numbered 200 rev F and 201.2 rev E; and any subsequent amendments approved in writing by the Local Planning Authority within 12 months of the date of this decision.
REASON: To clarify the terms of this consent

- 2.2 The Committee is advised that these conditions have been agreed to in writing by the applicant in accordance with The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 which came into force on 1st October.
- 3.0 **CONTACT OFFICER: John Wilson, Planner. 01254 585142.**
- 4.0 DATE PREPARED: 5th October 2018